



Docket No.: 2019-0240PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Ru-Shi LIU et al.

Application No.: 10/803,951

Confirmation No.: 7166

Filed: March 19, 2004

Art Unit: 2815

For: PHOSPHOR MATERIAL AND WHITE  
LIGHT-EMITTING DEVICE USING THE  
SAME

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Examiner: E. Ortiz

**TERMINAL DISCLAIMER TRANSMITTAL**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 3, 2005

Sir:

Attached hereto is an executed Terminal Disclaimer in connection with the above-identified application.

The appropriate fee of \$130.00 (large entity) is also attached hereto.

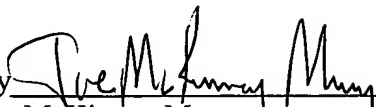
Please charge any fees or credit any overpayment pursuant to 37 C.F.R. § 1.20 to Deposit Account No. 02-2448.

Application No.: 10/803,951

Docket No.: 2019-0240PUS1

Dated: November 3, 2005

Respectfully submitted,

By   
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Attachment(s)



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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

2019-0240PUS1

In re Application of: Ru-Shi LIU et al.

Application No.: 10/803,951-Conf. #7166

Filed: March 19, 2004

For: PHOSPHOR MATERIAL AND WHITE LIGHT-EMITTING DEVICE USING THE SAME

The owner\*, Lite-On Technology Corporation, of \_\_\_\_\_ percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent No. 6,753,646** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

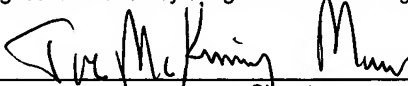
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 32,334

 November 3, 2005  
Signature Date  
Joe McKinney Muncy  
Typed or printed name

(703) 205-8000  
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

11/04/2005 HPL11 00000089 10803951

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